

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

35 USC 103

Claims 1-7, 9-10 and 13-15 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent Application No. 2004/0083092 to Luis Calixto Valles (hereinafter “Valles”).

Claim 1, as amended, recites in part:

an inference engine executable from the voice application server, wherein the inference engine is activated at one or more predetermined points of an ongoing voice interaction, wherein the inference engine is configured to determine whether an inference of client need can be performed, this determination being based on analysis of real-time client data related to the interaction during a pre-determined point in an active call flow of the served voice application and further based on analysis of historical data associated with client interaction, the inference engine further configured to determine which inference dialog is executed and inserted into the call flow if an inference is appropriate.

Thus, claim 1 recites an inference engine activated at one or more predetermined points of an ongoing voice interaction. When activated, the inference engine determines whether performing an inference is needed at that time. This determination is based on real-time client data as well as historical data associated with client interaction. If an inference is determined to be appropriate, the inference engine then determines which inference dialog to execute and insert into the call flow.

The current Office Action (dated September 19, 2008) attempts to find support for this limitation of claim 1 in Valles. Specifically, the current Office Action states “With respect to claim 1, 4-7, note that Valles teaches an inference engine (107), an application

server (IVR, paragraph 0018).” (Office Action, page 2). The current Office Action makes no attempt to show how the “state transition inference engine” 107 of Valles teaches or suggests the characteristics of the inference engine recited in claim 1. In fact, the current Office Action provides no explanation or discussion of any type regarding the “state transition inference engine” 107 of Valles or the “inference engine” recited in claim 1.

The current Office Action seems to incorrectly assume that since the “state transition inference engine” of Valles includes the words “inference engine”, it is equivalent to the inference engine of claim 1. The mere fact that one component has a name that is similar to another does not support a determination that the two components are identical. This incorrect assumption disregards the additional characteristics positively recited in claim 1 with respect to the claimed inference engine.

Applicant submits that the Valles reference fails to disclose or suggest an inference engine of the type recited in claim 1. In particular, Valles fails to make any reference to activating an inference engine at predetermined points of an ongoing voice interaction, and determining whether an inference is needed at that point. Further, Valles fails to make any reference to determining whether the inference is needed based on real-time client data as well as historical data associated with client interaction. As noted above, the current Office Action makes no attempt to show support in Valles for these aspects of the inference engine recited in claim 1.

Accordingly, Applicant submits that Valles fails to disclose or suggest the elements of claim 1. Applicant submits that claim 1 is allowable over Valles. Given that claims 2-7, 9-10 and 13-15 depend from claim 1, Applicant respectfully submits that

those claims are likewise allowable over Valles for at least the reasons discussed herein with respect to claim 1.

Claims 8 and 11-12 stand rejected under 35 USC 103(a) as being unpatentable over Valles in view of U.S. Patent Application No. 2002/0032564 to Ehsani et al. (hereinafter "Ehsani").

As discussed above, Applicant submits that Valles fails to disclose or suggest the elements of claim 1. Claims 8 and 11-12 depend from claim 1. Applicant submits that the Ehsani reference fails to remedy the deficiencies of Valles with respect to claim 1. In particular, Ehsani fails to make any reference to the inference engine characteristics discussed above with respect to claim 1.

Therefore, Applicant submits that the combination of Valles and Ehsani fails to disclose or suggest the elements of claim 1. Accordingly, Applicant submits that claims 8 and 11-12 are allowable over Valles in view of Ehsani.

Conclusion

Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: March 19, 2009

By: /Steven R. Sponseller/
Steven R. Sponseller
Reg. No. 39,384
(509) 389-0584